

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JOHN R. CUTTS,

Plaintiff,

v.

BERKELEY POLICE DEPARTMENT, et al.,

Defendants.

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No. 4:24-cv-01102-AGF

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's pro se motion (ECF No. 27) for leave to file a second amended complaint. Defendants have not opposed Plaintiff's motion, and the time to do so has passed. Accordingly, and in light of the liberal standard governing motions for leave to amend under Federal Rule of Civil Procedure 15(a)(2),

IT IS HEREBY ORDERED that Plaintiff's motion for leave to amend is **GRANTED**. ECF No. 27. The Clerk of Court shall detach and file ECF No. 27-1 as Plaintiff's Second Amended Complaint.

IT IS FURTHER ORDERED that Defendants' motion to dismiss Plaintiff's prior complaint, which is no longer operative, is **DISMISSED as moot**. ECF No. 15. Defendants' response to the amended complaint is due no later than **14 days** from the date of this Order.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 10th day of June, 2025.